

MAY. 16. 2007 9:06AM

OBLON SPIVAK

NO. 778 P. 6

DOCKET NO: 210767US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

MINORU AKITA, ET AL.

SERIAL NO: 09/899,219

FILED: JULY 6, 2001

FOR: A COMMUNICATION CONTROL
METHOD TO ALLOCATE SLOTS
OF AN UPWARD SIGNAL TO
CHILD STATION, AND CONTROL
DEVICE, PARENT STATION,
CHILD STATION AND
COMMUNICATION SYSTEM FOR
THE SAME

: DATE ALLOWED: APRIL 21, 2006

: GROUP ART UNIT: 2616

: EXAMINER: JUNG H. PARK

RECEIVED

JUL 18 2006

OFFICE OF PETITIONS

**PETITION FOR WITHDRAWAL OF
APPLICATION FROM ISSUE UNDER 37 C.F.R. 1.313**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Further to the Issue Fee paid on June 23, 2006, Petitioners respectfully request the Office to Withdraw the present allowed application from Issue under the provisions granted Petitioners by 37 CFR §1.313.

37 C.F.R. 1.131 recites that once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except:

(1) Unpatentability of one or more claims, which petition must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be

patentable;

07/19/2006 CKHLOK 00000016 09899219

01 FC:1464

130.00 OP

07/19/2006 CKHLOK 00000016 09899219

02 FC:1801

Adjustment date: 05/25/2007

07/19/2006 CKHLOK 00000016 09899219

01 FC:1464

Adjustment date: 05/25/2007

07/19/2006 CKHLOK 00000016 09899219

01 FC:1464

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-790.00 OP

MAY. 16. 2007 9:06AM

OBLON SPIVAK

NO. 778 P. 7

Application No. 09/899,219
Petition to Withdraw from Issuance

(2) Consideration of a request for continued examination in compliance with § 1.114;
or

(3) Express abandonment of the application. Such express abandonment may be in
favor of a continuing application.

Concurrent with the present Petition, Applicants have filed an Express Abandonment
Under 37 C.F.R. 1.138. Thus, favorable consideration of this petition is respectfully
requested.

The required fee of \$130.00 is enclosed herewith by credit card form and any further
charges may be made against the Attorney of Record's Deposit Account No. 15-0030. A
duplicate copy of this petition is attached.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Registration No. 28,870

Michael E. Monaco
Registration No. 52,041

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(OSMMN 08/03)

MAY. 16. 2007. 9:07AM

OBLON SPIVAK

NO. 778

P. 8



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAIER & NEUSTADT, P.C.
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ALEXANDRIA, VA 22314

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JUL 19 2006

OFFICE OF PETITIONS

In re Application of
Minoru Akita et al
Application No. 09/899,219
Filed: July 6, 2001
Attorney Docket No. 210767US2

ON PETITION

This is a decision on the petition, filed July 18, 2006, under 37 CFR 1.313(c)(3) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for express abandonment in favor of a continuing application under 37 CFR 1.53(b). See 37 CFR 1.313(c)(3).

The application is hereby withdrawn from issue, and the abandonment is hereby recognized.

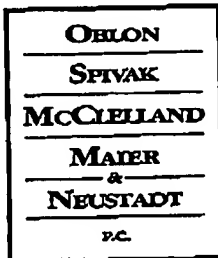
Telephone inquiries should be directed to Irvin Dingle at (571) 272-3210.

Irvin Dingle
Irvin Dingle
Petitions Examiner
Office of Petitions

MAY. 16. 2007 9:05AM

OBLON SPIVAK

NO. 778 P. 1



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PATENT, TRADEMARK AND COPYRIGHT LAW
AND RELATED FEDERAL AND ITC LITIGATION

WWW.OBLON.COM

FACSIMILE

PLEASE CALL US AT (703) 413-3000 IF THE MESSAGE YOU RECEIVE IS INCOMPLETE OR NOT LEGIBLE

TO	Office of Finance	DATE	5/16/2007
	NAME		
	USPTO	FAX #	571-273-8500
	COMPANY/FIRM		
	NUMBER OF PAGES INCLUDING COVER:	CONFIRM FAX:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
FROM	Scott Lohr	OUR REFERENCE	
	NAME		
	703-412-6472	YOUR REFERENCE	
	DIRECT PHONE #		

MESSAGE

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MAY. 16. 2007 9:05AM

OBLON SPIVAK

NO. 778 P. 2

May 15, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE
2051 Jamieson Avenue
Suite 300
Alexandria, VA

ATTORNEYS AT LAW
KATHLEEN A. MORSEBERGER
CONTROLLER
(703) 412-6494
KMORSEBERGER@OBLON.COM

Attn: Refund Department

Re: American Express Account

Dear Sir or Madame:

Enclosed is a copy of a portion of our American Express Statement from July 2006. Please review the highlighted charge on serial number 09/899,219, in the amount of \$790.00 on fee code 1801.

This charge is in error as our Petition for Withdrawal of Application from Issue under 37 CFR 1.313 did not include a Request for Continued Examination. The fee charged to our American Express account was an error and should be refunded.

Please investigate this charge and kindly refund \$790.00 to deposit account number 150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Scott Lohr at (703) 412-6472. Thank you for your assistance.

Sincerely,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "Scott Lohr", is written over the printed name.

Scott Lohr

Enclosures:

1940 DUKE STREET ■ ALEXANDRIA, VIRGINIA 22314 ■ U.S.A.
TELEPHONE: 703-413-3000 ■ FACSIMILE: 703-413-2220 ■ WWW.OBLON.COM

CECELIA F DAVIS	7/19/2006	1,020.00	10854183 GOVERNMENT SERVICES
CECELIA F DAVIS	7/27/2006	500.00	10233588 GOVERNMENT SERVICES
CECELIA F DAVIS	8/1/2006	1,360.00	11092683 GOVERNMENT SERVICES
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CHRISTOPHER A SCOTT Total		16,830.00	
CORRINE CUNNINGHAM	7/10/2006 *	500.00	10089083 GOVERNMENT SERVICES
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DARA L CARTER	7/13/2006	40.00	11402958 GOVERNMENT SERVICES
DARA L CARTER	7/17/2006	510.00	09831913 GOVERNMENT SERVICES

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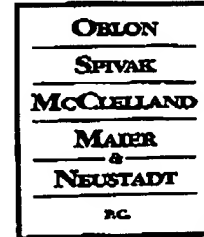
OBLON SPIVAK

NO. 778 P. 4

Docket No.: 210767US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

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MICHAEL E. MONACO
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RE: Application Serial No.: 09/899,219

OFFICE OF PETITIONS

Applicants: Minoru AKITA, et al.

Filing Date: July 6, 2001

Date Allowed: April 21, 2006

For: A COMMUNICATION CONTROL METHOD TO
ALLOCATE SLOTS OF AN UPWARD SIGNAL TO
CHILD STATION, AND CONTROL DEVICE,
PARENT STATION, CHILD STATION AND
COMMUNICATION SYSTEM FOR THE SAME

Group Art Unit: 2616

Examiner: Jung H. Park

SIR:

Attached hereto for filing are the following papers:

**PETITION TO WITHDRAW FROM ISSUANCE AND
EXPRESS ABANDONMENT**

Our credit card payment form in the amount of \$130.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

Registration No. 28,870

Customer Number

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HATTYMMAN210767US210767US SHORT PTO COVER LETTER 7-18-06.DOC

Michael E. Monaco

Registration No. 52,041

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MAY. 16. 2007 9:06AM

OBLON SPIVAK

NO. 778 P. 5

Docket No. 210767US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Minoru AKITA, et al.

Date Allowed: April 21, 2006

SERIAL NO: 09/899,219

GAU: 2616

FILED: July 6, 2001

EXAMINER: Jung H. Park

FOR: A COMMUNICATION CONTROL METHOD TO ALLOCATE SLOTS OF AN UPWARD SIGNAL TO CHILD STATION, AND CONTROL DEVICE, PARENT STATION, CHILD STATION AND COMMUNICATION FOR THE SAME

EXPRESS ABANDONMENT UNDER 37 CFR 1.138

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

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JUL 18 2006

SIR:

Applicant(s) wish to disclose the following information.

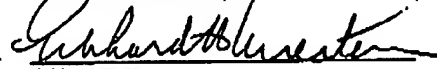
OFFICE OF PETITIONS

- ☒ **Express Abandonment**
Applicant's Representative requests that the above-identified application be expressly abandoned as of the filing date of this paper.
- ☐ **Express Abandonment in Favor of a Continuing Application**
Applicant's Representative requests that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed herewith.
- ☐ **Petition for Express Abandonment to Avoid Publication under 37 C.F.R. 1.138(e)**
Applicant's Representative hereby petitions to expressly abandon the above-identified application under 37 CFR 1.138(e) to avoid publication.

The required petition fee under 37 CFR 1.17(h) of \$130.00 is enclosed herewith by credit card payment form and any further charges may be made against the Attorney of Record's Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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(OSMMN 03/03)
HATTY\MA21\210767US\210767US EXPRESS ABANDONMENT 7-13-06.DOC

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